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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

SOFIE KARASEK, individually;
 NICOLLETTA COMMINS, individually;
 ARYLE BUTLER, individually;

Plaintiffs,

vs.

THE REGENTS OF THE UNIVERSITY
 OF CALIFORNIA, a public entity, and
 DOES 1 through 100, inclusive,

Defendants.

Case No: 3:15-cv-03717-WHO

**STIPULATION AND ORDER TO
 CONTINUE THE PRETRIAL
 SCHEDULE**

Judge: Hon. William H. Orrick

STIPULATION

Pursuant to Local Rule 6-2, the parties to the above-entitled action, by and through their respective counsel of record, hereby stipulate as follows:

WHEREAS, beginning in the Spring of 2020, Plaintiff Karasek was living in Denmark due to the COVID pandemic;

WHEREAS, Plaintiff Karasek maintained a storage unit in New York City while she was living in Denmark;

WHEREAS, Defendant The Regents of the University of California (“Regents”) served Karasek with discovery on April 7, 2021;

WHEREAS, due to the fact that Karasek likely had responsive documents in her storage unit in New York City that she could not access because she was living in Denmark, the Parties agreed that Karasek would make an initial production of documents, and then supplement her production when she returned to the United States in August and could access her storage unit;

WHEREAS, Karasek responded to Regents’ discovery requests and made an initial production of documents on June 8, 2021;

WHEREAS, Karasek returned to New York City in early August;

WHEREAS, Karasek’s supplemental production was delayed from August to September 3, 2021 and then September 7, 2021;

WHEREAS, Karasek began providing her supplemental production on September 7, 2021, and provided additional productions on September 17 and 18, 2021;

WHEREAS, Karasek’s deposition was scheduled for September 21, 2021;

WHEREAS, while she was gone, some of the contents of Karasek’s storage unit were damaged due to a water leak in the storage facility. For example, Karasek located an old laptop

1 computer that contains responsive documents that had been damaged by the water leak. Karasek
2 promptly had her laptop repaired and was able to locate responsive documents;

3 WHEREAS, Karasek continued to clean out her storage unit and on September 19, 2021,
4 uncovered several physical notebooks as well as an external hard drive that likely contain
5 responsive documents;

6 WHEREAS, upon learning of the additional documents, Karasek's counsel immediately
7 notified counsel for Regents about the additional documents;

8 WHEREAS, Regents desire to possess and review all responsive documents prior to
9 deposing Karasek;

10 WHEREAS, in order to promote efficiency and avoid piecemeal deposition practice, the
11 Parties agreed to reschedule Karasek's deposition to a date subsequent to Karasek's production
12 of the additional documents;

13 WHEREAS, the Court has set October 11, 2021 as a mediation deadline for Karasek's
14 case;

15 WHEREAS, the Parties have agreed to a mediator and have a scheduled mediation for
16 October 11, 2021;

17 WHEREAS, the Parties believe that a mediation of Karasek's case will be more
18 productive if it occurs after Karasek has been deposed, but based on the unforeseen delays in
19 Karasek's production of documents, she will no longer be deposed before October 11, 2021;

20 WHEREAS, Plaintiff Nicolletta Commins and Regents have a scheduled mediation date
21 with the same mediator on December 7, 2021;

22 WHEREAS, subject to the Court's grant of the Parties' stipulated extension request
23 herein, the Parties have agreed to mediate Karasek's claim on December 7, 2021 and reschedule
24 Commins' mediation for a later date, in order to allow Karasek's mediation to go forward after
25

her deposition occurs and after all documents responsive to Regents' discovery requests have been produced;

WHEREAS, the current mediation deadline in Commins' case is December 31, 2021;

WHEREAS, based on the extensions of the mediation deadlines, various other deadlines in the pre-trial schedule should also be modified in the interests of judicial efficiency;

WHEREAS, these revisions to the pretrial schedule will permit the parties to better facilitate the mediation process for both Karasek's and Commins' claims;

WHEREAS, the Parties respectfully request that this Court modify the scheduling order as follows:

Event	Current Date	Stipulated Date
FRCP 26(a)(1) initial disclosures due from Commins	June 30, 2021	June 30, 2021
Mediation of Karasek's claim	October 11, 2021	December 31, 2021
Mediation of Commins' claim	December 31, 2021	March 31, 2022
Fact discovery cutoff	January 7, 2022	May 20, 2022
Expert disclosure	March 3, 2022	July 14, 2022
Expert rebuttal	April 7, 2022	August 12, 2022
Expert discovery cutoff	April 14, 2022	August 19, 2022
Dispositive motions heard by	July 6, 2022	November 22, 2022
Pretrial Conference	September 12, 2022 (subject to the Court's convenience)	January 23, 2023 (subject to the Court's convenience)
Trial	October 3, 2022 (subject to the Court's convenience)	February 13, 2023 (subject to the Court's convenience)

WHEREAS, these requested extensions will have no effect on any other deadlines already fixed by this Court;

1 NOW THEREFORE, Plaintiffs' and Defendant's counsel respectfully request that this
2 Court enter an order extending the pretrial deadlines as set forth above.

3 Date: September 27, 2021

THE ZALKIN LAW FIRM, P.C.

5 By: /s/ Alexander S. Zalkin
6 Alexander S. Zalkin
Attorney for Plaintiffs

7 Date: September 27, 2021

MUNGER, TOLLES & OLSON LLP

9 By: /s/ John B. Major
10 John B. Major
Attorney for Defendant

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12 **ORDER**

13 PURSUANT TO THE STIPULATION, IT IS SO ORDERED. All of
the dates proposed are acceptable except that the hearing on the
dispositive motions shall be on November 16, 2022.

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16 Dated: September 28, 2021


Hon. William H. Orrick
Judge of the United States District Court